

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

FREDERICK RIDEOUT GRAY, JR.,)	
)	
Plaintiff,)	
)	
-vs-)	Case No. CIV-19-1016-F
)	
CARL BEAR, et al.,)	
)	
Defendant.)	

ORDER


Plaintiff Gray, a state prisoner appearing *pro se* and *in forma pauperis*, brings this action primarily under 42 U.S.C. § 1983, alleging his constitutional right were violated while incarcerated at the Joseph Harp Correctional Center in Lexington, Oklahoma. On December 13, 2019, Magistrate Judge Gary M. Purcell submitted a Report and Recommendation. Doc. nos. 9 (the Report), 10 (Order amending Report nunc pro tunc). On initial review under 28 U.S.C. § 1915A and § 1915(e)(2)(B), the Report recommends dismissal of the complaint, without prejudice, for failure to state a claim upon which relief can be granted.

As corrected and amended by the Order Nunc Pro Tunc entered on December 23, 2019, the Report advises plaintiff of his right to file an objection to the Report by January 2, 2020. The Report further advises that failure to timely object to the Report waives appellate review of the recommended ruling. No objection was filed.

With there being no objection to the Report, the court, after review, concurs in the recommended ruling and finds no need for further discussion here.

The result recommended in the Report is **AFFIRMED**. Doc. no. 9. As recommended in the Report, the complaint is **DISMISSED**, without prejudice, for failure to state a claim upon which relief may be granted.

IT IS SO ORDERED this 16th day of January, 2020.



STEPHEN P. FRIOT
UNITED STATES DISTRICT JUDGE

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